

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FLATIRON WEST, INC.,

Plaintiff,

v.

SAUSALITO-MARIN CITY SANITARY
DISTRICT,

Defendant.

Case No. 4:21-cv-01636-YGR

**ORDER DENYING AS MOOT PLAINTIFF'S
MOTION TO DISMISS**

Re: Dkt. No. 13

On April 26, 2021, plaintiff Flatiron West, Inc. filed a motion to dismiss defendant Sausalito-Marin City Sanitary District's answer and counterclaim pursuant to Federal Rules of Civil Procedure 12(b)(6). (Dkt. No. 13.) On May 10, 2021, defendant Sausalito-Marin City Sanitary District filed an amended answer and counterclaim against Flatiron West. (Dkt. No. 14.)

In light of the filing of Sausalito-Marin City Sanitary District's amended answer and counterclaim, Flatiron West's motion to dismiss is **DENIED AS MOOT**. Flatiron West shall respond within fourteen (14) days of this Order.

This Order terminates Docket Number 13.

IT IS SO ORDERED.

Dated: May 28, 2021


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE